

CHAPTER 82

CAMPAIGN FINANCE — INDEPENDENT EXPENDITURES

S.F. 199

AN ACT making changes to the campaign finance laws relating to independent expenditures and making penalties applicable.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 68A.201, subsection 1, Code 2015, is amended to read as follows:

1. a. Every committee, as defined in this chapter, shall file a statement of organization within ten days from the date of its organization. Unless formal organization has previously occurred, a committee is deemed to have organized as of the date that committee transactions exceed the financial activity threshold established in section 68A.102, subsection 5 or 18. If committee transactions exceed the financial activity threshold prior to the due date for filing a disclosure report as established under section 68A.402, the committee shall file a disclosure report whether or not a statement of organization has been filed by the committee.

b. A person who makes one or more independent expenditures and files all statements required by section 68A.404 shall not be required to organize a committee or file the statement of organization required under this section.

Sec. 2. Section 68A.402B, subsection 3, Code 2015, is amended by striking the subsection and inserting in lieu thereof the following:

3. A person who makes one or more independent expenditures and files all statements required by section 68A.404 shall not be required to file a statement of dissolution under this section.

Sec. 3. Section 68A.404, subsection 2, paragraph a, Code 2015, is amended to read as follows:

~~a. An entity~~ A person, other than an individual or individuals, shall not make an independent expenditure or disburse funds from its treasury to pay for, in whole or in part, an independent expenditure made by another person without the authorization of a majority of the ~~entity's~~ person's board of directors, executive council, or similar organizational leadership body of the use of treasury funds for an independent expenditure involving a candidate or ballot issue committee. Such authorization must occur in the same calendar year in which the independent expenditure is incurred.

Sec. 4. Section 68A.404, subsection 2, Code 2015, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. This section does not apply to a candidate, candidate's committee, state statutory political committee, county statutory political committee, or a political committee. This section does not apply to a federal committee or an out-of-state committee that makes an independent expenditure. A person who makes one or more independent expenditures and files all statements required by this section shall not be required to organize a committee or file the statement of organization required under section 68A.201.

Sec. 5. Section 68A.404, subsection 3, Code 2015, is amended to read as follows:

3. A person, other than a committee registered under this chapter, that makes one or more independent expenditures shall file an independent expenditure statement. All statements ~~and reports~~ required by this section shall be filed in an electronic format as prescribed by rule.

~~a. Subject to paragraph "b", the person filing the independent expenditure statement shall file reports under sections 68A.402 and 68A.402A. An initial report shall be filed at the same time as the independent expenditure statement. Subsequent reports shall be filed according to the same schedule as the office or election to which the independent expenditure was directed.~~

~~(1) A supplemental report shall be filed on the same dates as in section 68A.402, subsection 2, paragraph “b”, if the person making the independent expenditure either raises or expends more than one thousand dollars.~~

~~(2) A report filed as a result of this paragraph “a” shall not require the identification of individual members who pay dues to a labor union, organization, or association, or individual stockholders of a business corporation. A report filed as a result of this paragraph “a” shall not require the disclosure of any donor or other source of funding to the person making the independent expenditure except when the donation or source of funding, or a portion of the donation or source of funding, was provided for the purpose of furthering the independent expenditure.~~

~~b. This section does not apply to a candidate, candidate’s committee, state statutory political committee, county statutory political committee, or a political committee. This section does not apply to a federal committee or an out-of-state committee that makes an independent expenditure.~~

Sec. 6. Section 68A.404, subsection 5, paragraph g, Code 2015, is amended to read as follows:

g. A certification by an officer of the corporation representing the person, if the person is other than an individual or individuals, that the board of directors, executive council, or similar organizational leadership body expressly authorized the independent expenditure or use of treasury funds for the independent expenditure by resolution or other affirmative action within the calendar year when the independent expenditure was incurred.

Sec. 7. Section 68A.404, subsection 5, Code 2015, is amended by adding the following new paragraph:

NEW PARAGRAPH. h. The name and address of every contributor or source of funding that provided anything of value that was provided for the purpose of furthering the independent expenditure. A person making an independent expenditure shall not be required to disclose the names and addresses of individual members who pay dues to a labor union, organization, or association or individual stockholders of a business corporation.

Approved May 1, 2015